

Lamb & Lerch
Counsellors at Law

233 Broadway
Suite 2702
New York, N.Y. 10279

Telephone: (212) 608-2700
Facsimile: (212) 513-7206
Email: DOstheimer@Lamblerch.com

July 7, 2010

Andrew McGilvray, Executive Secretary
Foreign-Trade Zones Board
U.S. Department of Commerce
1401 Constitution Ave., NW, Room 2111
Washington, DC 20230

RE: Docket 22-2009

Dear Mr. McGilvray:

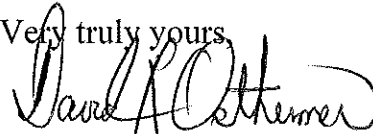
The Port of Moses Public Corporation filed an application on behalf of REC Silicon to establish a subzone at our manufacturing facilities in Moses Lake, Washington. By Federal Register Notice dated June 4, 2010, the Foreign-Trade Zones Board published its Preliminary Recommendation for approval of our subzone application with a restriction prohibiting admission of foreign status silicon metal subject to an antidumping duty (AD) or countervailing duty (CVD) order.

Although we strongly disagree in principle with the proposed restriction and do not believe that the record supports the need for a restriction regarding silicon metal subject to an AD or CVD order, REC Silicon does not, at this time, oppose the inclusion of this restriction in our Grant of Authority and urges the Board to move in an expedited fashion to issue the Grant of Authority.

REC Silicon has maintained throughout the application process that we have not, nor do we anticipate in the near future importing silicon metal from China or Russia (the two countries from which silicon metal is subject to an AD or CVD order). Therefore, from a practical perspective, we are not opposing the inclusion of the stated restriction in the Grant of Authority to be issued to the Port of Moses Lake Public Corporation on our behalf. As noted in the June 4 Federal Register Notice, "no arguments or evidence have been presented to the FTZ Board in opposition to FTZ savings on silicon metal not subject to AD/CVD orders."

Based upon (1) our willingness to accept the proposed restriction in the Grant of Authority; (2) the fact that no new evidence has been elicited in our response warranting further proceedings per 15 C.F.R. § 400.27(d)(3)(vii)(B); and (3) our continuing desire to avoid any further undue delays in these proceedings, we urge the Board's rapid approval of our subzone application with the sole restriction contained in the Grant of Authority being the prohibition of the admission of foreign status silicon metal subject to an AD or CVD order. The issuance of such a Grant of Authority will enable us to commence operating our facilities in Moses Lake under foreign-trade zone procedures which will enhance the cost competitiveness of our Moses Lake facilities and thereby encourage continued production and employment at these facilities.

Very truly yours,

A handwritten signature in black ink, appearing to read "David R. Ostheimer", written over the typed name.

David R. Ostheimer
Counsel to REC Silicon